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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MARCO PALAZZI AND
PIERANGELA BONELLI

Plaintiffs,

v.

CIGNA HEALTH AND LIFE
INSURANCE COMPANY, JOHN OR
JANE DOE 1 THROUGH 100,
FICTITIOUS NAMES BEING
NATURAL PERSONS AT PRESENT
UNIDENTIFIED, XYZ
CORPORATIONS 1 THROUGH 100,
FICTITIOUS NAMES BEING
CORPORATIONS AT PRESENT
UNIDENTIFIED, ABC ENTITIES 1
THROUGH 100, FICTITIOUS
NAMES BEING COMMERCIAL
ENTITIES AT PRESENT
UNIDENTIFIED.

Defendants.

Civil Action No. 22-cv-6278

**DECLARATION OF LEONARD E.
SEAMAN, ESQ., IN SUPPORT OF
MOTION TO SEAL MOTION TO
SEAL**

I, Leonard E. Seaman, submit this declaration in support of plaintiff's motion to seal a portion of plaintiffs' second amended complaint (ECF No. 41).

1. I am an Attorney at Law of the State of New Jersey and a member in good standing of this Court. I am Of Counsel with The Law Offices of Richard Malagiere, PC, attorneys for plaintiffs in this matter.

2. I submit this Certification in accordance with Local Civil Rule 5.3 based upon my personal knowledge in support of the Motion to Seal. The information that plaintiffs seek to seal consists of a quotation defendant's Summary Plan Description (the "SPD") that appears in paragraph 14 of the second amended complaint.

3. Defendant, Cigna Health and Life Insurance Company, has previously argued that every portion of the SPD should be sealed because it contains commercially sensitive and proprietary information concerning the terms of the health benefits offered to plaintiffs that Cigna administers. (See, Decl. Caroline Oks, Esq., 5/1/2023, ¶ 6 (ECF No. 28-1).

4. Cigna also asserted that the exact same passage that is the subject of this motion to seal ought to be redacted from the Court's August 25, 2023 opinion related to Cigna's motion to dismiss plaintiff's first amended complaint (ECF No. 10). (See, 9/5/2023 Letter from Caroline E. Oks re Opinion, Order on Motion to Dismiss (ECF No. 37)).

5. Plaintiff disputes Cigna's position that the language of the SPD should be sealed. (See, *Ibid.*)

6. Based in the conflicting positions of the parties, the Court directed that the quotation from the SDP in the Court’s opinion “remain under seal subject to a decision on the pending motion to seal.” (ECF No. 39.)

7. In deference to Cigna’s position and the ruling of the Court, plaintiffs filed their second amended complaint under seal to ensure that the disputed language is not publicly disclosed until the Court rules on the pending motion to seal.

8. Accordingly plaintiffs respectfully request that the Court continue to temporarily seal paragraph 14 of the second amended complaint until the Court resolves the dispute over public disclosure of the terms of the SPD.

/s/ Leonard E. Seaman
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